DOCUMENT RESUME

ED 191 203 EC 124 564

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TITLE Directive Management Procedures, Staffing Patterns in Education for Emotionally Disturbed Students.
PUB DATE [79]
NOTE 66p.

EDRS PRICE MF01/PC03 Plus Postage.
DESCRIPTORS *Classroom Techniques; *Discipline; *Educational Methods; *Emotional Disturbances; Intermediate Grades; Intervention; Secondary Education; Severe Disabilities; *Staff Role

ABSTRACT

A systematic procedure is outlined which gives guidance to therapists and teachers in managing seriously emotionally disturbed (SED) students (9 to 18 years old) who reside at a licensed children's institution or are attending a centralized public school facility for SED students. Among findings from a review of the literature was that intensive early intervention with pull out retraining of the student within a special center which emphasizes acceptable social behavior seems to have proven effective. The importance of the communication process in dealing with the SED student is emphasized, particularly in regard to the setting of rules and expectations. Sections address who, what, and how the rules are communicated and reinforced. Approaches to communicating the rules (such as the directive approach, monitoring, and the city council meeting) are described; and means for reinforcement (including positive and negative reinforcement and the token system) are described. General procedures for control are listed, general therapy procedures for SED students are outlined, and staffing patterns for SED students are reviewed. Appended materials include a sample monitoring form, an outline of the city council meeting process, and a sample budget. (SBH)

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ED191203

DIRECTIVE MANAGEMENT PROCEDURES, STAFFING PATTERNS IN EDUCATION FOR EMOTIONALLY DISTURBED STUDENTS

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INDEX

INTRODUCTION. 1

CHAPTER 1 REVIEW OF THE LITERATURE 3

CHAPTER 2 GAINING CONTROL IN INDIVIDUAL AND GROUP MANAGEMENT 9

CHAPTER 3 WHO ESTABLISHES THE RULES? 11

CHAPTER 4 WHAT WILL THESE RULES BE 14

CHAPTER 5 HOW WILL THE RULES BE COMMUNICATED 20

The Directive Approach 20

Voice Tone/Language. 21

Confrontation Formula. 22

Creating a Productive Climate and Rapport for Learning and Therapy 23

Monitoring Forms 25

City Counsel 26

CHAPTER 6 HOW RULES ARE REINFORCED 27

Positive Reinforcement 27

Negative Reinforcement 28

Token System 30

Teacher Control Methods in the Class 30

The Time-Out Area and Management Intervention Techniques 34

CHAPTER 7 GENERAL CAMPUS CONTROL PROCEDURES. 41

CHAPTER 8 GENERAL THERAPY PROCEDURES FOR SED STUDENTS. . .43

CHAPTER 9 STAFFING PATTERNS FOR THE SERIOUSLY EMOTIONALLY DISTURBED. 45

CHAPTER 10 SUMMARY. 48

BIBLIOGRAPHY

INTRODUCTION

Incident: Larry, a thirteen year old student diagnosed as seriously emotionally disturbed (SED) has an average ability to learn academics, has a long history of self-abusive and self-destructive behaviors. Larry arrives in the morning at his Special Education Class. Larry is from the local licensed children's institution (LCI) which serves approximately 50 students with similar problems on a 24-hour basis. Within 1 hour, Larry is observed by the educational support staff being physically escorted by his teacher from the classroom to the time out area. Larry is screaming and cursing his teacher. Larry's behavior vacillates between crying and angry outbursts; between intermittent attempts at pulling away and running from the teacher to striking at his teacher. When Larry is placed in the time out area, he is ordered to sit on the floor, and he begins to immediately hit his head against the wall.

Incident: Carl, a fourteen year old student is also diagnosed as SED and has an above average ability to learn academics. Carl has a history of significant passive-aggressive behavior when dealing with teachers. Carl also comes from the local LCI. During class, Carl emphatically refused to follow the teacher's request to change seats in class. When Carl was asked to go to the time out area, Carl picks up a chair on the way out of class and hurls it at the teacher (luckily he misses the teacher). When Carl reaches the time out area, he again angrily refuses the directives of support staff to stay within the bounds of the time out area and to remain standing. Carl escalates his verbal abuse until finally he attempts to physically strike a staff member since verbal abuse fails to intimidate staff and allow Carl to do what he wishes to on campus.

Question: In both of the above cases, what is the role of educational support staff to the teacher and student? What actions need to be implemented at such crisis times?

In answer to these questions, this article will give concrete, step by step procedures in dealing with such behaviors. It has become apparent that the educational support staff (i.e. Psychologist, Counselors, Principals) as well as, Special Education teachers who must work with SED students in the class and on campus, are faced with front line decisions that must be instant, decisive, and accurate. Unfortunately, support staff and teachers in their prior training at the university and at their job have been given scant preparation for such crisis intervention. Most educational and clinical staff have probably found that they had to throw out the text books and somehow retool their first year in the field in order to successfully manage the SED student. The procedures that will be discussed are based on actual experiences and programs initiated and successfully used by the author, special education

teachers, and clinical workers - all of whom have had many years experience in dealing with such children residing in licensed children institutions as well as in implementing special education classes for the Seriously Emotionally Disturbed or Behavior Disordered. Within the educational diagnostic scheme, the type of students that are under discussion in this article are Educationally Handicapped-Seriously Emotionally Disturbed or Behavior Disordered children (EH-SED or EH-BD) and who need the care of a 24 hour licensed treatment facility. For writing brevity all of the above categories will be referred to as SED students.

It seems noteworthy that a variety of special education laws have come in to effect (i.e. California Title 5 regulations, Federal Law PL94-142) indicating that there is a legal mandate that the teaching of the SED student be delegated to the educational establishment, including all encumbered costs. It follows that any organization dealing in capital outlay for a program will also want a maximum effectiveness for their cash investment. Currently, most public schools seem to find it simpler and easier to pay the bill for private schools placement on special education students (cost range at a minimum from 10,000 or 15,000 dollars per year per child). This primarily occurs when students behavior seem to be beyond the management skills of the educational system. However, in the wake of the present nation wide tax revolt, and increasingly limited government financing, the most sound type of physical conservativism and educational effectiveness will dictate that such SED students will be treated on educational grounds, preferably within a central specialized educational facility which can service not only a number of outlying licensed childrens institutions but also SED students still living with their parents in the regular school system. As this trend commences, psychologists, counselors, teachers, and principals will have no choice but to learn to deal with therapy (yes therapy!) and behavioral management of such students.

CHAPTER I

REVIEW OF THE LITERATURE

The ERIC System was used to aide in a review of the literature. Variables or descriptors used were the following:

Licensed childrens institutions
Violent behaviors and control
Severely handicapped
Emotionally disturbed
Aggression
Self-mutilation
Violence
Classroom techniques
Management
Discipline

Research was virtually non-existant in the area of intellectually normal children who are seriously emotionally disturbed, residing in a 24 hour licensed childrens institution (LCI) whose educational needs are served by the public school system. Of 18 articles listed in the printout, 6 dealt directly with the topic at hand. Of these 6, only 2 dealt directly with behavior management techniques of intellectually normal SED and behavior disordered students. The remainder of the articles focused on management techniques for the mentally retarded or autistic child. Some of these articles did a very extensive research of the literature involving combined bibliography of approximately 250 resources.

Research by J. R. Johns (1974) dealt with developing "procedures for dealing with serious behavior problems of SED and autistic in California Public Schools. Summarized was a review of the literature, an analysis of general techniques of student control, and a list of strategies such as physical intervention, time-out, and corporal punishment." Johns did a thorough review of the literature and identified all the various aversive techniques commonly used. Effectiveness of these techniques, however, was not evaluated. Significant points for consideration in developing a method of manageing SED students as outlined by Johns were as follows:

1. The author commented that his research of the literature "emphasized the importance of pairing positive with adverse conditioning" and that "these methods must be communicated to the child in a way that is understandable to him." It is at this point that teachers may begin to have problems implementing specific techniques, i.e. by explaining limits, expectations, alternatives, and consequences to the child.

2. "When systematically applied in a controlled setting by confident therapists, punishment can be used ethically but only if the data shows that the desired outcome is being achieved."

3. The author emphasized the need for attaining parent permission and giving parent rights and limits placed on educational staff. Parents must be involved in the planning for use of aversives.

Johns' article also contained a written legal opinion to Corona-Norco Unified School District in California, which summarized the legalities involved in using aversives (Appendix D). This document indicated that "the general discussion throughout a great majority of the cases, and applying the rules relating to corporal punishment, have generally considered corporal punishment to be the application of a paddle or some similar instrument to the posterior for spanking on the buttocks. The cases dealing with other forms of physically touching the students, such as slapping, slugging, kicking, twisting the arm, stomping on the student, or like forms of behavior have been held to be batteries and subject to criminal and civil penalties." This same legal statement further stated that "Education Code Section 44897 limits the amount of force that can be used by a teacher, through that degree of physical control of a pupil that a parent would be privileged to exercise, but in no event shall it exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning."

Johns indicated that the broad definition of corporal punishment included "imprisonment." This term was not defined in this legal statement but could by a broad definition be extended to mean the placing of a student in a time-out area. The narrower definition of corporal punishment was defined as spanking with a paddle to the buttox , a whipping or inflicting pain to the body.

A study by Harris and Hershfield (1978) focused primarily on the mentally retarded and autistic with a few cases dealing with "phycotic adults of normal intelligence." This article listed an extensive bibliography used in evaluating the effectiveness of a limited number of aversive techniques. The following techniques were reviewed:

Differential reinforcement of other behaviors (DRO)
Contingency of reinforcement removal ("time-out")
Extinction
Over correction
Electric shock
Restraint (tie-downs)
Slapping

DRO by itself, per Hershfield, did not seem effective and at a minimum should be combined with removal techniques (time-out).

In regards to time-out, there seems to be no established guidelines on the duration for use of this technique with a student. Reports vary from seconds to several hours. It was indicated that "using a longer period than necessary is ethically questionable because it is excessively aversive, removes the subject from opportunities to learn desirable behaviors, and runs a risk of increasing the rate of deviant behaviors." It was also noted that consistency of application in the use of time-out is more applicable and effective than intermittent applications of time-out procedures.

The technique of over correction was defined as "an educative process composed of two main components, restitution and positive practice. The components of over correctiveness include duration, topography of the procedure, degree of graduated guidance, and presence/absence of restoration through positive practice. Restitution required the disruptor to repair the surroundings so that they are better than prior to the disturbance. Over correction has proven poor for correcting self-injurious behaviors. Over correction was considered to be very effective with mentally retarded students and SED students for the following kinds of behaviors:

Aggression (i.e. biting, hitting, throwing objects)
Recurrent vomiting
Public disrobing
Disruptions
Non-compliance

Restraint was restrictively defined as "simply tieing a person to a bed or placing someone in a straight jacket for a prolonged period." Restraint procedures of this kind have been used mainly with mentally retarded students. No data was available on the effectiveness of tie-down restraint for normal intelligent SED students.

A study regarding the development of a program and its effectiveness with acting out elementary students was completed by Hops and Hyman (1974). The major components of the program included summary charts, point cards, scanning procedures, and teacher checklist of procedures. This study was done on first and second graders only. These procedures were reported as increasing appropriate class behaviors from 49.5 percent to 86.5 percent after treatment. Hops and Hyman stated "these procedures have been tested only with first and second graders, and use in other grades may or may not have the same desirable effects." The program used a 30 or 45 school day time line which was divided into two phases. Phase 1 took in the first

five days in which there was professional involvement for two 20 minute periods only. Phase 2 began on the sixth day and continued to the 45th day. On day six the teacher was brought in to assume a major responsibility for the program. However, the teacher was still under the consultant's guidance. Gradually, the class period time was lengthened until on day 10 at which time the student was brought back into a full day class. In summary, the author felt that for many acting out children, teacher attention or praise had little effect on their behavior. "Social praise becomes more rewarding for students after points have been paired with praise."

A study by Thomas and Howard (1971) focused on treatment of one ten year old male mentally retarded student with a history of hitting his head against objects and needing constant restraints. The use of "ignoring the behaviors" as a technique has been reported in much use with mentally retarded students. However, it is not clear in this article how treatment staff "ignored" self-abusive or destructive behaviors. Also, the validity of this study was in question since it's sample consisted of only one subject. Finally, this study reported that the technique of "ignoring behaviors" proved ineffective over time. Prior self-destructive behaviors returned and increased in frequency after treatment stopped.

A study by Favell, McGimsey and Jones (1978) addressed itself to an interesting aspect of restraint-that is, how restraint techniques might be "enjoyable" and thus a positive reinforcement to some mentally retarded students. Test results showed that restraint can actually serve as positive reinforcement for <u>certain</u> mentally retarded students. The results of this article indicates that one must be discrimenant and use minimal restraint since a number of mentally retarded may possibly obtain pleasure in being restrained. However, no data was available regarding applying this conclusion to normally intelligent students who are seriously emotionally disturbed.

Baumeister and Baumeister (1978) in their study demonstrated how the use of aeromatic ammonia inhalation "produced rapid endurable suppression of self-injurior responding behaviors." Two students (4 and 7 years old) who were profoundly retarded were used in this study. Again, this article focused only on mentally retarded students. Also, only two cases were used indicating a poor sample. The authors compared the effectiveness of this treatment to electric shock treatment and stated "this is not a pleasant procedure for either subject or for the trainer". "This is <u>not</u> an ideal treatment method in the typical institutional setting."

The final article reviewed (Krasnow, 1968) took a different tact and dealt with the issue of whether or not mental health department personnel should be the agency to provide effective in-service to teachers for management skills of aggressive children. In summary, the majority of the teachers who came for in-service at this particular conference were disappointed with the content of the workshop since the teachers did not seem to receive concrete approaches in dealing with the children's aggressive behaviors. In answer to this, mental health personnel stated "they were reluctant to translate behavior and motivational theory to mechanical situations which should not be applied indiscriminately to every child." Krasnow then raised the question of whether or not mental health personnel "are the best persons to lead a workshop and discussion groups for teachers. Teachers are used to planning and presenting material in a more structured formal manner, focusing upon the acquisition of knowledge and skills and, therefore, expect something similar from a workshop. By contrast, many mental health personnel are geared to a less structured approach." The general approach of mental health workers seems rather non-directed and therefore of little use with SED students of normal intelligence in a class or a 1:1 counseling situation. In summary, the author stated that the major problem encountered by mental health personnel in planning in-services for teachers is that staff seemed to focus on using "the single child case study approach which is not adequate enough for the teacher of overcrowded urban schools."

In summary, the pertinent points gained from a review of the literature and that seem applicable to developing procedures in handling the seriously emotionally disturbed student of normal intelligence are as follows:

1. Studies indicate that all staff were working together in effecting behavioral changes regardless of techniques used. A great deal of coordination between staff was needed. The obvious implications for any system of therapy and management is that a specified outline of procedures be adopted to insure that all staff understand their roles.

2. Legal clarification must be given as to whether or not physical escorting and placement of a seriously emotionally disturbed student by educational and treatment staff in an assigned area (time-out area) constitutes "imprisonment" or "physical assault." At present, if an SED student has already become physically assaultive to peers and adults or seriously injurious to himself, it is clear in California Educational Codes that school staff are in legal bounds to physically intervene if necessary to restore control. The key seems to be the use of <u>physical control</u> which is no more than what a parent would reasonably use.

3. The literature indicates that there is virtually no direction or procedures regarding how to handle SED students of normal intelligence especially in the 9 to 18 year old range when these volatile confrontations take place. Nearly all studies focus on mentally retarded and autistic children with very limited samples. Such studies have employed the use of the most severe aversive control methods. There was no data regarding how the SED student of adequate cognitive skills would tolerate or react to such severe aversive techniques, i.e. slapping, tie restraints, chemical/electric shock, etc.

4. In regards to aversive stimuli or negative reinforcement, all techniques are to be used in combination with a total program including positive reinforcement. The use of negative reinforcement must be discontinued or modified if data shows such tactics are making no change in behavior. Therefore, continual monitoring and evaluation is imperative.

5. The aversive techniques which seemed the most effective and humane and showed promise with SED students with normal intelligence were the use of time-out (contingent removal of reinforcement) in conjunction with over correcting. The literature did not indicate duration or criteria for intervention using limited physical control when SED students are physically assaultive to peers/adults or self-injurious.

6. Intensive early intervention (first to second grade) with pull-out retraining of the student within a special center which emphasizes acceptable social behaviors seems to have proven effective. Intervention, however, per literature review was limited strictly to the use of highly structured token or point systems. There is no mention of how to deal with a student who flatly refused to follow such a system which is more expected of older, aggressive SED students.

7. Mental health departments may be limited regarding the type of advice and direction they can offer educational staff in managing aggressive students in a concrete and specific manner. Although there was only one study, it did indicate that mental health workers may have difficulty in articulating such programs to teachers. Therefore, it seems likely that training and direction of this sort must come from professionals within the educational field.

CHAPTER 2

GAINING CONTROL IN INDIVIDUAL AND GROUP MANAGEMENT

Stated in the language of a number of current writers (Hailey, Erickson, Walwaick) an interaction between two or more people coming together eventually centers around the issue of who is to define the rules of the relationship. In most relationships these rules are communicated on many levels referred to as a meta-communication. In transactional analysis this is described as one-up-manship. In Adlerian terms this struggle takes the form of four identified malfunctions of attention power, revenge, and inadequacy. In Glasserian terms conflicts arise as a result of the individual's attempts to meet his needs in a socially unacceptable way.

It can quickly be seen that there are very few (if any, behaviors and phenomenological patterns independent of group interaction and influence even at the simplest "group" level of therapist-client relationships. For example, if an SED student seems easily frustrated due to class stress, stands up, curses, and refuses to do what the teacher has asked, the student's behavior then and especially for the future impinges upon the teacher's reaction at that moment. If the teacher decides to not "say" anything and seems to overlook the situation, the teacher, whether he realizes it or not, has just made a statement regarding this situation but on a different level (meta-communication). Through a non-verbal message the teacher is, at a minimum, telling the student that no corrective action will take place when he behaves in such a manner. As a result, an unspoken contract or rule has been established between the teacher and the student defining each other expectations for the same behavior in the future.

Likewise, another example might be when a SED student is removed from the classroom and brought to the counseling area because he was refusing to follow teacher direction or was initiating some type of destructive behavior. The psychologist or counselor would need to interact with the student initially in a directive, decisive manner. However, the psychologist might find that the student was also refusing to talk, is challenging the psychologist, and is being verbally abusive to the support staff. If the psychologist tries to avoid using a decisive, directive approach by saying such nonsense statements as "you don't really mean that" or attempts to prematurely use non-directive technique by reflecting the statement "you seem to be angry," the psychologist is also sending a message on another level or "meta-communicating" to the SED student. It is not uncommon for such a student to initially interpret this message as one where the psychologist is either unsure of himself, not "strong" and someone who can probably be manipulated if the student acts aggressive enough. If the psychologist fails to

act more decisively and directly, he, like the teacher, has established another unspoken rule with the student which will be evoked again in future confrontations with staff. This rule will encourage the student to repeat the same prior aggressive behaviors where no contingencies or consequences seem to be attached to such actions.

Therefore, treatment and education of the SED student automatically becomes a communication process which takes place at every level throughout the school. Precise procedures for establishing and maintaining this communication process will be developed in this article through answering the following questions:

1. Who is to set the rules and expectations of the relationship for the total campus, within the smaller groups of the classroom and in a one-to-one counseling/therapy relationship?

2. What will these rules be?

3. How will these rules be communicated?

4. How does one insure that these rules will be followed or enforced?

CHAPTER 3

WHO ESTABLISHES THE RULES?

Probably a better term than rules are "expectations" defined here as anticipating or looking for behaviors that are likely to occur when two or more people come together. There are three levels we are concerned with here. The first is the teacher to student interaction. The second is the teacher to support staff interaction. The third is the interaction between support staff themselves. A lack of explicit behavior expectations in any one of these areas will adversely affect the entire system and the student.

It must be clearly understood by students that teachers and staff together will list specified expectations for the entire group as well as develop additional tailor-made expectations for each individual. These individual expectations will vary from person to person in order to meet differing student needs. The golden rule for SED students is that all are treated fairly and consistently but not equally. In the long run it will be the total staff's ability to be consistent in adhering to expectations and consequences for the individual both inside and outside of the large group setting that ultimately make effective change. Let us look at the implications of specifying expectations at each level of staff involvement.

First Level:

The teacher must never waste time allowing the SED student to "discover" by himself what behaviors are expected to occur within the classroom. When the expected behaviors are not explicit but implied, the SED student is simply going to anticipate and expect a teacher-student exchange of unacceptable behaviors that he has consistently and successfully used in the past in gaining control over prior school staff and parents. Therefore, very simply put, the educational staff and teachers determine the rules for the student. By establishing the rules, this automatically divests the student from the very beginning in gaining control of the relationship through old unacceptable behaviors and patterns. These expectations become non-negotiable items. The staff must accept the fact that they will define what are acceptable behaviors and make the value judgment that these behaviors are "good" for the student. The general educational and treatment staff must accept a philosophical stance that their procedures will train the student in socially acceptable behaviors which will in turn lead the student to meeting his needs and functioning in society.

Second Level:

Not only must behaviors between teachers and students be outlined explicitly but, also at a second level of communication between teachers and support staff. It must be made explicit by support staff that all prescribed in-class behavior management steps be followed in sequence by the teacher before the teacher can define the student's behavior as so out of control that support staff have to be called in for crisis intervention. It must be made explicit that class management procedures will be followed by all teachers. The teacher must keep variation in these procedures to an absolute minimum unless he reviews and receives approval for such changes through a support-team staffing. Since campus control and crisis intervention falls to support staff, it is important that support staff anticipate likely reoccuring or consistent teacher behaviors which show that the teacher has exhausted all prescribed steps of dealing with the SED student before calling for support back up. By following these steps this reults in developing trust from support staff that the teacher has not over reacted to a situation or has been inconsistent in enforcing consequences both of which could indicate a teacher problem rather than a student problem.

Likewise, at this second level, administration must insure that support staff follow prescribed steps in dealing with the SED student on campus. Among these steps is the insurance that the teacher can anticipate immediate crisis intervention in class each time the teacher has consistently prescribed classroom management procedures. If support staff fail in this primary roll when a responsible teacher called for help, this would result in the teacher changing or modifying his classroom expectation in order to "discover" behaviors that would allow him to regain some semblance of power and control.

In a reciprocal way, support staff would immediately begin to feel the repercussions stemming from their inconsistencies in not aiding the teacher. Support staff would be faced with unpredictable and inconsistent responses by the teacher who in self-defense is randomly attempting new methods of managing the SED student's disruptive behaviors. As a result, support staff would find themselves being summoned to the classroom for crisis intervention on many more occasions than is normally necessary, thus taking their time away from helping students in other areas. Also, support staff could never be sure where to begin in dealing with student consequences in a "fair" way.

Third Level:

The third level entails the interaction of campus support staff with each other. If expectations have not been clearly defined in regards to campus control procedures between support staff, additional problems will develop in managing the SED student.

For example, by the time a teacher has exhausted his class management procedures with a disruptive student and has sent him out of the classroom, generally the student's behaviors have escalated beyond the effective use of most counseling/therapy techniques. The SED student at this point is usually out-of-control with himself or in dealing with others and can be violent. For a support staff to have mistaken expectations of how other fellow support staff will assist him in dealing with these out-of-control behaviors could lead to physical injury to the counselor and/or the SED student. This is especially so if there is a need to physically control the student for the protection of every one concerned, until the student "cycles-out" of his destructive behaviors.

In summary, (1) all rules and expectations between support staff and the teacher must be developed preferably through a representative committee of experienced special education teachers and support staff, approved and enforced by a responsible and experienced administrative and support staff. (2) within the class, the teacher explicitly defines all group and individual behavior expectations, not the student. Expectations are not set by or negotiated with SED students. (3) successful management of maladapted behavior relies on consistency and fairness in adherence to these rules by all staff. Premature attempts to change the SED student's behaviors which rely on a non-directive philosophy or which rely on staff trying to "relate" to the SED student as a peer or equal will further complicate and deter effective management of the student.

CHAPTER 4

WHAT WILL THESE RULES BE

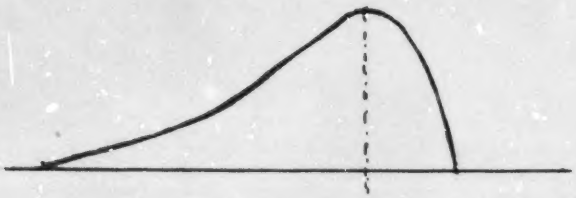
Another axiom of group and individual management is that the more rules you establish (and especially the more don'ts you use) the more rules will be broken. Also, as a review of the literature definitely indicates, a primary component of "over-correcting" is to give the SED student a positive acceptable behavior to perform which will take the place of the maladaptive behavior. This will result in placing the student in a simple paradox where he cannot be doing both an acceptable and unacceptable behavior at the same time.

A major tendency of most university trainees in psychology is to view behavior from a psychiatric or medical diagnostic model which defines social and emotional functioning as the absence of maladaptive behavior. A statistical distribution (Figure 1) using this approach is generally skewed with no indicators of what is considered acceptable performance beyond the norm or average. The paradox in this approach is that when the student asks "just what is it that you want me to do in place of the maladaptive behavior", most psychologists have difficulty in articulating a clear objective. This becomes most obvious when writing performance objectives dealing in the social/emotional area. For example, using the medical model approach, objectives will look like the following:

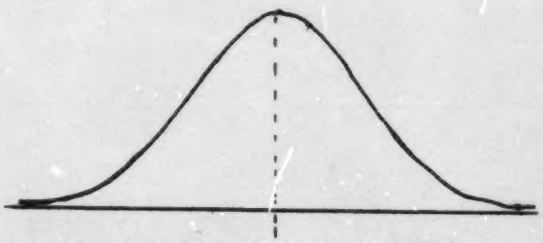
1. Student will decrease talking out by 90%.
2. Student will reduce number of times he leaves his seat by 90%.

The result of this approach in regards to establishing rules and expectations is that the psychologist and teachers have inadvertently initiated a repressive regime which is always suppressing and taking away behaviors. Yet, the student will still psychologically and socially need to act, but not necessarily know in how or in what direction. Unless a positive alternative is given to replace the maladaptive behavior, the student for the most part is never quite clear what is exactly expected.

In a social model approach, social/emotional functioning is generally represented by a normal curve distribution (Figure 1) which includes not only behaviors that are below normal but also those which are above normal. The obvious advantage to this approach is that as you move to the right of the mean you can begin to obtain an idea of what constitutes acceptable behavior.



Statistical Representation of
Medical Model



Statistical Representation of
Social Model

Figure 1

This positive social model approach will then answer the students question of what behaviors are required of him. Performance objectives in the social/emotional area will emphasize positive expectations. In comparison to the medical model, the following examples reflect the use of the positive social model for writing treatment objectives:

1. The student will raise his hand and ask the teacher permission to talk 90% of the time.

2. Student will stay on-task 20 consecutive minutes each hour by completing a class assignment independent of teacher intervention.

The result of the social model approach is that you can precisely answer the students question "what is expected of me." In terms of "over-correcting," you have given the student a positive alternative behavior. This will become obvious when a student who is staying on a task 20 minutes per hour cannot in the same 20 minutes be out of his seat and disruptive.

We can then state two primary guides for establishing the expectation of rules for students.

1. Minimize your list of rules.

2. Be sure they are stated in positive terms that give a student "tangible" alternative behavior.

With this in mind, the following group expectations must be used by the teacher within the class. For demonstration purposes here only, examples of the opposite unacceptable behaviors are presented. The unacceptable behaviors are not posted in a classroom. They serve here as a guide for the reader and when reviewing these rules with the class.

Acceptable Behaviors	Unacceptable Behaviors
1. Be on time to all classes	1. Comeing to class late with or without a note
2. Go to your seat, sit down. Prepare for or begin work.	2. a) Standing around/near the door. b) Entering/leaving class without permission.
3. Stay in class at all times.	3. a) Entering class without prior permission the period before b) Leaving class without permission.

4. Raise your hand when you want attention and remain in your seat until the teacher talks to you.	4. Talking out and standing/ walking without teachers permission.
5. Take care of property and people.	5. Touching a teacher or staff when angry; fighting, writing on and destroying desks and property, throwing things, etc.
6. Complete all tasks required by the teacher.	6. Refuses to do what teacher asks.
7. Be polite to teachers, staff and students.	7. Foul language; creating a class disturbance when others are studying.

Likewise, a parallel step is to develop the same type of expectations when a student is out of class and on campus. This responsibility falls under the jurisdiction of the support staff. Just as in the classroom, campus expectations must be made explicit and clear by support staff. It is absolutely necessary that these rules be reviewed in a group or individually with each student in the same manner the teacher reviews his in-class expectations. Again, following the axiom of minimizing rules and stating them in positive functional terms the following list can be used. Again, the column of unacceptable behaviors are inserted here only for the reader's clarification.

Acceptable Behaviors	Unacceptable Behaviors
1. Have a written note or a pass key from the teacher when coming to the counselor for a "good time" visit or when using the restroom.	1. a)Walking/wandering around campus without written permission. b)Entering the time out area without permission.
2. When leaving class without a note, walk directly to a staff or to the time-out area.	2. a) Staying outside the classroom door area without permission. b) Leaving campus.
3. When in the time out area a) stay standing in assigned place. b) If you wish to talk raise your hand and remain in your area until a counselor talks with you.	3. a) Leaving the time out area without permission. b) Talking out and walking around.
4. Complete all tasks required by the counselor.	4. Refusing to do what the counselor asks.

Finally, in addition to the general group expectations for classroom and on campus behaviors, individualized expectations and objectives must be tailored to meet each students needs.

SED students can be quite varied in the types of social/emotional problems that they bring to an institution and special education classes. With this in mind it is at this point that staff must remember that all students are treated fairly, consistently but not equally. In order to follow this rule, it is necessary to evaluate each student individually and require additional positive expectations that are different from what would be expected from a second or third student. For example, the following objectives could be developed by total staff for two different students. The SED student would be held accountable for meeting this individualized objective in addition to all general group expectations mentioned earlier.

1. For an SED student who exhibits withdrawn passive behaviors in regards to peer socialization skills, an individualized objective might read as follows: "Student will volunteer 90% of the time, independent of teacher intervention, to participate with a small group each week in completing a weekly class project."

2. For an SED student who uses a great deal of denial in order to avoid conflict or use of untrustworthy behaviors, an individualized objective might read: "Student will accurately state or describe 90% of the time, the facts of any given situation as determined by teacher observation."

It is interesting to note that as simple as these group and individual expectations seem, experienced psychologists and educational staff will immediately recognize that SED students have a great deal of trouble in following any number of them. Also, the advantage of the group expectations outlined above is that these same acceptable behaviors can also be considered part of a basic prevocational training program. A dual purpose is served by having all staff help the student in achieveing and maintaining these prevocational behaviors. These are:

1. The student will begin to acquire cognitive skills in class and in basic subject matter needed for any entry level job.

2. They will begin to develop successful social skills needed to keep a job--the same social skills demanded of them in the educational setting.

It is this writers experience that a student who is functioning adequately and consistently over a long period of time in these areas at an LCI and in a self-contained class will, in the majority of cases, be capable of performing satisfactorily on a regular school campus with minimal educational support services.

Thus, educational and treatment "success" which aims at successful reintegration of the SED student into the regular educational system and community at large can, in nearly all cases, be measured against this criteria. Methods of measurement can be built around monitoring forms and various social status ratings, which will be discussed in the next chapter.

CHAPTER 5

HOW WILL THE RULES BE COMMUNICATED

A number of methods are reviewed in this section which will give the teacher and support staff direction on how to develop an effective demeanor for communicating expectations in a decisive manner. Teachers and support staff must be recognized by the SED student as a source of security and guidance rather than a source of indecision and unpredictability. To help achieve this status, the following areas are discussed while procedures on what to do when a student is unable to respond to these methods will be discussed in the next chapter.

1. Directive approach
2. Voice tone/language
3. Confrontation formula
4. Creating a productive climate and rapport
5. Monitoring forms
6. City council and the status system

The Directive Approach

It cannot be taken for granted that the SED student knows how he is expected to behave. To do so is probably the single most common error among teachers and staff. Expectations must be reviewed with the SED student explicitly. This is done initially through a dialogue with students in class and later can be made a written assignment which will further facilitate recall and comprehension.

The second most common error is that teachers and support staff will review rules once and believe the student will now remember what is expected for future reference. Instead, expectations must be reviewed with SED students frequently. It is recommended that during the first week that the expectations be reviewed and discussed at the beginning of each day and that for the remaining time rules should be reviewed and discussed once every week.

In addition, an effective teacher will want to minimize verbal responses directed at having the student change his unacceptable class behavior. Excessive teacher verbage serves as an attention mechanism for the student and will esculate undesirable behavior. Therefore, to help in this area, expectations must be posted in the classroom. The teacher can, at times, simply point to a particular rule so the SED student can read for himself what is expected or the teacher can also develop a variety of "hand signals" which alert the student that he needs

to bring his behaviors back in line to established group expectations.

Rules must always be stated as positive expectations. The attempt here as explained earlier is to describe to the SED student acceptable behaviors rather than emphasizing the suppression of undesirable behaviors.

The demeanor of a teacher and support staff when presenting expectations must be characterized by the following:

1. Firmness: Once expectations are established, staff must adhere to them despite students reaction. It is important that staff does not respond or be intimidated by manipulation from SED students i.e., tears, flattery, verbal threats, etc.

2. Decisiveness: When a student responds positively in accord with an expectation, staff must be quick to praise or reward. At the same time, when a student challenges the established limits, the staff must respond immediately. Never allow unacceptable behavior to escalate. Remember that the SED student, whether he is aware of it or not, is looking for and needs a "rock" of security. Do not be mislead into believing that the SED student does not need this security just because he is "testing" your decisiveness and sincerity.

3. Controlling of Emotions: Keep unproductive feelings and behaviors out of your relationship with the SED student as much as possible. Unproductive feelings are characterized by the following:

   a. frequent angry verbal outbursts or threats to students.
   b. fear that the student will not like you when you direct and order him to do things rather than ask.
   c. uneasiness or dislike for the SED students in general.
   d. displaying hesitant or unsure behaviors when making decisions.
   e. attempts at being "accepted" by being "one of the gang" in the hope that the SED student will cooperate with you.

Voice Tone/Language

Your voice when used in conjunction with decisive behaviors is a critical tool in helping gain control and eliciting effective responses from the SED student. Be willing to raise the volume of your voice when needed in order to help in gaining initial control. I underline initial here because the use of a loud voice

devoid of confidence and not backed by decisive action will soon be doomed to failure. Your voice must reflect the fact that you are confident in that you, as a teacher, know exactly how to act and that you will act immediately if need be in dealing with the SED student's behavior. A loud firm voice coupled with the reputation that you can act in a directive and decisive manner will, in many cases, cause the SED student to respond positively and give you the attention you want. The key in using a loud voice is that if you find yourself "shouting" or "yelling" more and more and students are responding less and less, then an immediate and critical self-evaluation of your classroom and teaching behavior is in order.

Total staff must also be sure that language directed at students is free of cursing, as well as humiliating and embarassing statements. Examples of this are:

1. laughing at a student's efforts
2. belittling a student's attempts
3. stating that you will force a student to solve a problem at the chalkboard or read out loud in front of the class which will expose his "ignorance".

In summary, when using and developing voice and language control skills, the general message that must be conveyed is not only that staff is positive toward students and are confident in knowing how to teach curriculum but more important, that they know how to manage and enforce group expectations.

Confrontation Formula

When there is a need to address a student directly because of his disruptive behaviors, the results will generally be successful if the teacher and staff sequence their behaviors and communication in the following way.

First: When you notice the undesirable behaviors taking place, be sure to watch closely and address the student as early as possible. If you avoid or ignore an SED student's undesirable behavior, he will simply escalate these behaviors.

Second: When addressing the SED student, make a statement which describes rather than labels the behavior the student is engaged in. An example of descriptive behavior might be, "You are out of your seat without my permission." or "Please raise your hand before talking." An example of labeling might be "Stop causing trouble."

Third: If the student is still not responding, the teacher must tell the student to repeat what it is the teacher said. The student should also state expected negative consequences if he continues with his present behavior. This approach will

clarify quickly for the teacher if the student has heard and understands what is expected of him. Once the teacher is certain that the student understands what is expected, the teacher can eliminate further verbal dialogue since there is a tendency for maladapted behaviors to escalate when the student receives excessive verbal "lecturing."

Fourth: At this step the teacher or staff have no more reason to debate with the student over a minor incident in the class (minor and major incidents will be defined and clarified later). All that the teacher or staff need to do, is point to the task again or use prearranged hand signals since the student will know exactly what you mean. During or at the end of the class, the distribution of tokens or points can be used to give the student feedback regarding his performance. If the student becomes upset because of not receiving all his points, the teacher and the staff can be friendly and sympathetic with the student. But, teacher and staff must be firm in that they make this the student's problem, not the teachers. In essence, do not let the student blame you for his poor performance.

Creating a Productive Climate and Rapport for Learning and Therapy

A major mistake when dealing with SED students is that teachers and staff assume that they must go out of their way to be friendly with such students or must "relate" to them in order for learning to progress. Nothing can be further from the truth. In actual practice, the SED students will, on many occasions, be anything but friendly or mannerly to you when you require them to meet class expectations. Staff must never forget SED students have taken their disability and manipulated it well to control and gain power over their prior teachers as well as their parents. There is no question that these behaviors have caused them to be unsuccessful in managing the stresses encountered in prior classes and in their community. Because of the nature of their problems, the SED student will attempt again to use old maladaptive behavior patterns with educational and treatment staff in order to gain control and meet their needs. Teachers and staff will find that if they are acting in a fair, consistant and decisive manner rather than worrying if the students will be unhappy with their actions, staff will be helping in the long run to affect positive changes in the behavior of the SED student. Therefore, in order to establish a climate for productive learning and therapy for the SED student:

1. Have a highly structured, well organized curriculum, therpay and behavior modification program. To the degree there is disorganization on staffs part in this area, the same degree of chaos will be sensed by and transferred to the SED student, adding to their general underlying fear and uncertainty re-

garding the school and world around them. Effective learning and therapy can only take place where there is stability and predictability of expectations.

2. In regards to fairness, support staff and teachers will immediately find out that even though SED students will frequently loose control over their behaviors, will challenge you and seem to lack positive peer/adult relationships, they will inevitably give you a degree of status, consideration, and concern, i.e., respect. This will happen provided that the consequences staff enforce for the SED students unacceptable behaviors are viewed by the student as fair, i.e., consistant and carried out in a non-vicious manner. Therefore, it is an axiom, that one cannot be "fair" with an SED student if support staff and teachers behaviors are inconsistant. It is also an axiom that without this consistancy by all staff, the student has nothing to loose in being disruptive since in his perspective, there is a possibility that his unacceptable behaviors will be overlooked or inadvertently rewarded.

3. Do not worry about trying to relate to an SED student as an "equal". The SED student needs you to give help, to take charge and to give direction. The SED student will more readily take this direction from you as a careing adult who is a trusted authority figure, not as one who is viewed as their peer.

4. In building rapport as a "careing" adult it is always an asset to enhance staff's status in the student's eyes by building a positive working relationship through informal meetings outside the demands of the classroom. This must be done at least once a week. At such times this can be accomplished by talking and sharing ideas with students, listening to them about their personal concerns and interests, and even watching or coaching a game of sports with them. It is a common practice to have the "student of the week" go to lunch with a teacher or staff. Just as easily, teachers/staff can occasionally eat breakfast with the students before classes. Building rapport in this way definately gives all staff an advantage when making demands on a SED student in the "formal" classroom or therapy setting. With this enhanced status, the student is more apt to interpret directives as coming from a concerned and interested ault or "surrogate parent." As a result the SED student will sometimes alter unacceptable behaviors more readily rather than "risk" the loss of positive regard by the teacher or staff.

Monitoring Forms

A behavioral management system is successful when accompanied by positive as well as negative reinforcers. Negative reinforcement will be covered in depth in the next chapter on "How to Enforce Rules and Expectations". Suffice here to say that feedback about success or deviation from expectations resulting in positive or negative reinforcement can be clearly indicated for the student's benefit on a daily and weekly monitoring sheet. In the same way that expectations were explicitly reviewed through class dialogue using the directive approach, the monitoring sheet serves as a continuous review of expectations with the SED student but on a non-verbal level. (Samples of daily and weekly monitoring sheets are included in Appendix B).

A minute-by-minute token system does not need to be developed with the SED student in the classroom as is needed with the mentally retarded or autistic children. Rather, experience has shown that for SED students, a point system based on a maximum of 5 points per class period (45 to 60 minutes) serves as sufficient feedback to the SED student. This will quite clearly show the SED student how he is progressing in or deviating from established expectations. A daily point system includes 5 possible points per period. These points are earned as follows:

A. One point for student reporting to class on time and immediately sitting in his seat.

A. One point each 15 minutes if the student is:

1. working on the current assignment
2. following the given classroom rules regarding appropriate school behavior

C. One bonus point is given for earning an A or B or acquiring the other 4 points.

On a Friday to Thursday weekly schedule each of the students may earn up to 150 points depending on the number of classes he attends. These points can be cashed in for reinforcers.

Weekly monitoring sheets are also based upon a 5 point system. They can be filled out at the end of each week to summarize the total week's progress. These weekly monitoring sheets are of greatest value to treatment personnel since they can be used in evaluating positive payoffs at the LCI for that weekend or for program evaluation of therapy objectives.

Finally, a major advantage of the daily monitoring form is that the teacher and staff can communicate expectations without having to become involved in a drawn-out and unproductive discussion with the SED student. Too much verbalizing by the teacher generally ends in a futile attempt by the teacher to "logically" defend himself. This approach frequently serves to escalate the SED student's responses to where he will begin to lose his self-control, i.e., become angry, depressed, violent, etc.

City Council

This is another vehicle to communicate expectations as well as reward students for their progress. The city council is primarily a hierarchy status system where a student is judged by his total peers and total staff regarding his progress. The student is voted on by a jury of his peers as well as staff regarding whether the student should be allowed to rise to the next higher status level. These levels (from lowest to highest) are as follows:

1. Visitor
2. City member
3. Councilman
4. Mayor
5. Senator

As a student reaches each higher level, he is accorded more privileges and responsibilities (see Appendix C). Such a system must be incorporated into a total campus and institutional program, not just the classroom. The status system is a highly confrontive technique which produces major positive improvements in SED student's behavior. However, staff must be well trained in group counseling and management if attempting to use this system. In this sense, the city council also serves as a major test of therapist and educational staff's ability to maintain orderly control with a large group of SED students while at the same time soliciting productive and effective student responses and interaction.

One of the main reasons for the city council effectiveness is that the peers of the SED student can be much more critical and demanding at times than adult staff. There is also the fact that the SED student acquires another prospective besides the teachers' and staffs' with which to compare his progress in meeting expectations. It is quite common to find that an SED student is shocked to know that the same unacceptable behaviors he is using with teachers and staff are also quite annoying to his peers.

CHAPTER 6

HOW RULES ARE REINFORCED

Positive Reinforcement

It is important to remember that if a treatment program does not have a system of positive reinforcement used in conjunction with negative reinforcement, then it does not have a behavior modification system in the theraputic sense. The rational behind behavior modification and the use of extrinsic motivators is to provide the student with success in the classroom, give direction in modeling positive behaviors, and above all, to encourage the student to risk new and appropriate behaviors. A behavioral management system is successful when it is accompanied by both positive and negative reinforcers. At the same time these reinforcers must be meaningful to the individual involved in such a program. It is always assumed that a variety of positive object reinforcers will serve to increase appropriate classroom behaviors.

An intrical part in determining the amount of positive reinforcers earned by the SED student is through the use of the monitoring form. The monitoring form serves as a record indicating accumulated points which can be traded for payoffs. The amount of points that a student can earn has already been discussed in the previous section. In general, a monitoring form should run from the Friday of the first week to the Thursday of the second week. Points can be tallied that Thursday evening and special payoffs and reinforcers can be distributed that Friday morning and counted by treatment staff toward weekend privileges.

Some of the reinforcers listed below can readily be made available at any school or institutional program. These reinforcers consist of the following:

1. Become eligible for student of the week with additional payoffs.
2. Earn free time in class.
3. Earn free time out of class to visit the student union or lounge on campus. Such a lounge can contain ping-pong tables, games, etc.
4. Be eligible for co-ed group activities on Friday.
5. Recommend to the social worker the granting of special privileges on the weekends and for home visits.
6. Secure a teacher's vote for raising student status on the city council.
7. Eligible to use points to buy food and items at the "store".

8. Earn other payoffs as developed by the program.
9. Application of points toward the LCI's charting system for privileges.
10. Acquiring "Letters of Commendation" which are presented before the entire student body and staff and are placed in the student's file.
11. Earn credit toward a high school diploma.

With regards to a high school diploma, far too little value or encouragement is given to SED students in reminding them that they can actually obtain a high school diploma which can include entry level job training in any one of a variety of programs. At the same time, the use of variable credits can constitute a secondary reinforcement program which would urge the student to maintain acceptable behaviors and expectations in the classroom. No student should ever be allowed to earn a basic block of 5 credits per subject just because he has attended class and obtained a minimum grade of "D". In stead, a semester should be divided into 5 segments each consisting of approximately 16 to 18 school days. Each segment is then equivalent to earning one school credit. A student should know explicitly what is expected of him in order to earn each credit. As a result, the student can never loose a credit once it is earned. The student simply continues on to the next segment of assignments in order to earn his next credit and so on. At the same time, if a student does not perform or complete the required subject matter, he always has the on-going opportunity to again try and obtain a credit for the next segment. Grades should always be independent of the number of credits the student earns. Therefore, each credit earned receives a seperate grade.

Negative Reinforcement

As a review of the literature shows, negative reinforcement and the use of aversives is a controversial issue. There are no state or federal guidelines on the use of negative reinforcement. The only document available by the California State Department of Education (Appendix D) states that the local school districts are responsible for establishing policies in this area. A review of the literature points out that in using adverses the following considerations must be given:

1. All staff must coordinate efforts and procedures in a total program.

2. Active physical punishment initiated by a staff member on a student in terms of physically hurting and touching (defined as slapping, slugging, kicking, pinching, stomping on the student, use of electrical shock, soft tie down of a student with rope for restraining purposes, use of costics applied to the mouth) is illegal and considered to be a battery.

3. At the same time educational code sections in California allow for no more physical control (not defined as active physical hurting or battery) then is reasonably necessary to maintain order, protect property, or protect the health and safety of the students or maintain conditions condusive to learning. Therefore, educational and treatment staff have a legal mandate and responsibility to maintain and enforce control of a student for his protection or for the protection of others.

With these considerations in mind, the following procedures in handling SED students are outlined. Let it be clear from the beginning that this author does not believe extreme aversives as outlined in #2 above are necessary or humane with SED students. This author does however, recognize a definite need to control such students from time to time and maintain order at any institution or campus. Based on a review of the literature and personal experience, the following negative aversives are adequate in dealing with nearly all SED students of normal intelligence.

1. Token economy system which includes the lack of opportunity to earn points for positive reinforcement.

2. Systematic exclusion which essentially boils down to two types:

   a. suspensions from school from 1 to 5 days maximum.
   b. use of a time-out area in school for "cooling off". A time-out area here is not defined as the use of a "cell" or "small box" in which to contain a student.

3. Retention after school or during a student's free time or recess in order to make up unfinished class work.

4. Limited use of physical escorting techniques when, for example, a student attempts to leave a campus without permission or refuses to leave the classroom when told to do so by the teacher.

5. Limited physical restraining by staff which excludes the use of soft rope tiedowns. This procedure will be discussed in detail later. This procedure would be especially appropriate when a student physically assaults a peer or staff or exhibits self-injurious behaviors.

6. The use of "over-correction" procedures consisting of two parts:

   a. restitution
   b. having a student practice an alternative positive practice.

A more in-depth review which incorporates the above procedures will be discussed in terms of the use of token systems, teacher control methods in the classroom, management techniques in the time-out area including physical restraining and removal from campus.

Token System

It has already been discussed how positive reinforcement is used to encourage acceptable behaviors. In terms of negative reinforcement, the student is simply not given points within each time segment during class unless the SED student's behaviors are acceptable and class work is completed. If the total system and total staff are well coordinated in their criteria for withholding points to the SED student, he will quickly find himself unable to participate in many of the social activities as his peers are doing. The student, for example, who has not earned enough points to participate in a Friday co-ed group activity, is simply required to report to an assigned classroom to complete class work. Another example, is that the same student although allowed to go to the school "store" will quickly realize that he does not have enough tokens to trade for items as do his peers.

There are three primary reasons why a token system can fail in affecting change. First, teachers and educational support staff may be too lenient in giving points to students when the student has truly not earned his points. Second, educational support staff might "give in" and let a student partake in an activity which he has not actually earned points for. Third, treatment staff at the LCI might fail to act on the lack of school points accumulated and not apply the points to treatment payoffs after school. Therefore, LCI treatment programs should base part of their payoffs on the student's progress in school as indicated on the monitoring forms. When the monitoring sheet or accumulated points are not used by the staff, the SED student quickly learns that he can continue to perform poorly in school and yet be rewarded after school with privileges at the treatment facility.

Teacher Control Methods in the Class

It is not uncommon to find SED students failing to respond to a token system in both the initial and later stages of treatment from time to time. Despite their best efforts, SED students at times, are unable or unwilling to cope with the stress of working in a classroom. During such times they will not be able to correct their behaviors in accordance with teacher expectations.

It is at this point that a teacher must determine if the unacceptable behaviors are within the scope of his or her group management skills. The teacher must also recognize when certain student actions necessitate that the SED student be removed from the class immediately. The decision to tell a student to report to the time-out area or, if the student refuses to leave, to call for extra support staff to have him physically removed from class, is based on whether the student is out of control with his behaviors or so aggressive that there is a clear threat to the safety and control of the class or to the student himself.

The following two lists give examples of what are considered minor incidents and generally within the scope of a properly trained teacher or physhologist to manage within a class or group. The second list gives examples that are considered major incidents requiring immediate removal of the student from class to a time-out area.

Minor Incidents	Major Incidents
1. Student leaves his seat without permission on one or two occasions during class.	1. Destruction of property.
2. The student talks to a neighboring student 3 or 4 times during class.	2. Physically assaults another student.
3. Student responds slowly in a passive-aggressive style to teacher directions.	3. Physically assaults a teacher.
4. Student inadvertently uses profanity during the conversation without real malice toward the teacher or peers.	4. Verbally and maliciously assaults a student or teacher with or without profanity.
5. The student refuses to do classwork but is willing to sit in his seat quietly or put his head down on the desk. At the same time the student is not bothering or disturbing any other students.	5. The student is frequently distracting and disrupting other students even when he refuses to do any more work himself.
6. The student initally verbally challenges the teachers directives but stops immediately after the teacher confronts him with the consequences.	6. Student will not relinquish the battle for control with the teacher over the class rules and absolutely refuses to follow any of the teacher's requests.

If the teacher determines that the student's behavior is of a minor type and can be handled within the scope of the class, first use the confrontation formula outlined earlier in this paper. If the student still fails to respond, the following procedures are to be used by the teacher:

1. The student is told that he has not earned a point for the specified time period.

2. If a student is still not responding, he is told to sit quietly at his desk, to stop work, to put his head down on the desk, or stand outside the classroom near the door for approximately 5 minutes.

3. If a student is still not responding, in addition, he is told to report to the teacher during his free period, recess or after school and to make up class assignments.

4. If a student is still not responding to direction. the teacher must determine if the student is capable of regaining his self-control or if he is actually willing to follow your requests. This is done by stopping, and simply observing if the student is becoming more hysterical, agitated, or belligerent. At this point have the class continue on with an assignment and take the student off to the side of the group and ask him "is there something else that might really be bothering him such as a bad weekend home visit, or bad night at the group home, etc." If the student responds "yes", ask the student if there is anything that you can do to help. Then, ask the student if he feels he can sit at his desk without disturbing the other students. Let the student know you do not mind giving him another chance to sit quietly in order to "pull himself together."

By following this procedure, the teacher removes the student from the group and reduces peer pressure for him to act out. If the teacher has acted early enough he has possibly stopped the behavior from escalating beyond the control of the student. The teacher is sending a message to the SED student that "it's OK" to be upset, and that there is a concerned side to you that the student may not have expected. Finally, you are giving the student the chance to <u>voluntarily</u> ask if he can leave class and go to the time-out area where he can "coof off." The student may rather do this than be later embarrassed by a physical confrontation in class if additional staff are brought in to remove him.

It is at this point that many incidents can be resolved by giving the SED student a chance to compose himself and reevaluate his actions. There is absolutely nothing 'wrong' if an SED

student occasionally chooses to sit in class and not work, while using that time to "think things out", provided that the SED student is not disturbing other students and does not receive points or pay offs from the teacher for non-performance. Treatment and counseling staff must be alerted by the teacher if this kind of behavior continues on a frequent and prolonged basis. In such cases, it is quite acceptable to have the student visit a psychologist or counselor for intervention provided the psychologist and support staff do not reward the student for remaining out of class.

If the teacher has determined that he is dealing with a major incident, that after talking with the student on the side the student is still unable to respond or control himself, that such behaviors constitute a threat to others, and to the control of the class, then the teacher must direct the student to leave the class immediately and report to the time-out area for "cooling off". In addition, the student must understand that:

1. He is welcomed back to the class just as soon as counseling staff feels that he is ready to return.

2. That he can start earning points as soon as he returns to class.

3. That he is still required to make up and complete missed class work.

The obvious tactic here is to make it well worth the student's time to attempt to control and modify his behaviors in class with the teacher. The student must recognize that time-out is readily available for "cooling off" when it is necessary and that there are no rewards or pay offs for remaining out of class for an extended amount of time. Therefore, if the SED student does choose to go to the time-out area, it is worth his effort to work on and resolve his problems with the psychologist/counselor as quickly as possible in order to return to class.

When a student is directed to leave the class and report to a time-out area, he must be escorted by staff. Never let a distraut SED student walk by himself to a time-out area or report on his own to campus support staff. Three common incidents that might result from this mistake are, the student may destroy school property (i.e., break a window, etc.), may attempt self-injurious behaviors, or run from the school premises.

If the SED student flatly refuses to leave your classroom after he is directed to do so by the teacher, the following steps must be followed immediately:

1. Call or send for additional campus staff.

2. Advise the student that he will be removed from class if he does not voluntarily leave on his own.

3. Establish paradoxical injunctions with the remainder of the class so that you can continue to emphasize your control of the situation. This is done by "encouraging" the class to watch what is about to take place. The remainder of the class will be looking anyway at what takes place in class but, implied in this paradoxical command is that the students will make this observation under your direction. If the disruptive student is actually seeking to gain peer attention by his actions, at least it will be done under the teacher's supervision and direction, not the disruptive student's.

The Time-Out Area and Management Intervention Techniques

Definition of time-out area: The definition of time-out is the removal of the stud ent from stimuli and reinforcement. As a result, a time-out area must be a neutral area, free from attention that adults or peers often give a student for unacceptable behaviors, thus rewarding him inadvertantly.

In dealing with mentally retarded and autistic students, many institutions and treatment facilities have been known to design "time out rooms" which are basically a large box (approximately 4 feet x 4 feet x 6 feet high) with adequate ventilation and a door with or without locks. Unfortunately, the potential abuse of such a "room" is not unknown in the profession. Two problems generally develop when using any extreme adversive. First, there is the general tendency for the therapist (for that matter any human being) to increase the frequency and intensity of administering adversive stimuli in order to sustain a reduction in the unwanted behaviors. As a result, therapists have been known to inadvertently move from simple pinching, to light slapping, to hard hitting of a student in order to suppress the undesired behavior. Second, the use of a time-out "room" has not been immune to this same problem. What initially starts as placing a student in a "small room" can quickly be translated into a new perspective by treatment staff and students where the room is now viewed as "a prison cell" to punish the child. There have been instances where the time-out "room" itself evolved into "cage" size boxes or were dug out of the ground where the student was placed into the hole and the top of the hole covered with a lid or door.

The most important thing to remember as indicated per a review of the literature, is that the use of small time-out "rooms" have been used primarily with the use of retarded and autistic children. Therefore, their use was probably "tolerated" or overlooked in the past due to such students lacking sufficient thinking skill and social sophistication to "fight back." On the other hand, an SED student who is employing his normal intellectual skills will evaluate the use of such a procedure in

a different perspective which is sure to foster some degree of resentment and hate toward staff in general. In addition, there are certain legal questions as a review of the literature indicates as to whether this procedure goes beyond what is considered reasonable control and may even constitute "imprisonment" or "physical assault."

Another reason why the use of a "small" room may seem appealing to institutions is that it quickly solves the problem of where to find enough supervisory staff to monitor or manage the student during the times he is exhibiting acting-out, destructive behaviors. In a sense it is much easier and inexpensive to build a "box", place the student in it, shut and lock the door and return at a later time, then it is to hire and "tie up" the time of two or more support staff with one SED student in order to monitor and work with his behaviors. Simply put, a properly run time-out area of the type to be discussed in this article can only be run effectively and humanely with an adequate number of support personnel. An adequate number of support personnel to run a time-out area is a minimum of one full time counselor or psychologist per 30 SED students. (Chapter 9 will elaborate on staffing patterns.)

Physical Characteristics of the Time-Out Area: The intent of the time-out area in dealing with SED students is to give the student a place to go when stress from social interaction in school is beyond his coping skills and precipitates maladapted behaviors. When an SED student "cycles in" so to speak with these maladapted behaviors, he must be given the opportunity to control himself, reflect and consider his situation much in the same way an adult will "go for a walk" in order to "cool off" after a heated argument. Also, as the previous definition of a time-out area indicates, by removing the student from the class, the student is also removed from any reinforcement or adult/peer attention. As a result, it usually becomes much easier for the SED student who is "cycling in" to cope with himself alone rather than trying to deal with the additional group dynamics involved in the classroom.

With this intent in mind the physical layout of a time-out area is as follows:

1. A "regular" size classroom or a large outside patio area with a concrete slab and overhead roof for protection from the elements is satisfactory. There is no need for the time-out area to have bars, small "cells" or doors for shutting in and locking up a student.

2. The area must be designed and viewed by the staff and teachers as a "neutral" zone, not a place to receive positive payoffs or negative painful experiences. Therefore, to minimize the chances of positive pay

offs, the area must be devoid of pictures on the walls, chairs and desks, auditory stimuli such as music, student conversations, etc. To minimize the negative aspect of the time-out area, the student is not to be shut in any type of small room or cell. He is not to be tied down with ropes. No degrading statements or insults are to be used by staff. This must not be confused with firm, forceful and sometimes loud voice tone as previously discussed. There is no physical handling of the student by staff in order to inflict pain (i.e. hitting, kicking, slapping, etc.) No physical workouts are permitted (i.e. running, pushups, etc.)

3. One support staff must always remain in the area when one or more SED students are present. At least one additional support staff must be immediately available to help control a student if he becomes assaultive to peers/adults, self-injurious, destructive of property, or highly belligerent.

4. The location of the time-out area must be such that it is removed apart from or located at the end of the campus so there is little or no chance for the student being distracted i.e. positively reinforced, by the activities of other classes or passing students.

Manageing Behavior in the Time-Out Area: Student expectations and how to communicate has already been discussed in prior sections. It is certainly acceptable to post and review support staff expectations for the SED student in the time-out area just as the teacher does for classroom expectations.

Also, support staff must minimize inadvertently giving positive pay offs to SED students for coming to the time-out area for both "real" help as well as "made-up" needs. This latter type includes SED students who want to leave class when they are not really exhibiting maladapted behaviors in order to avoid doing class assignments or dealing with the teacher who demands acceptable behaviors. The SED student in such cases may believe that it will be "fun" to go to the time-out area to "visit." As a result the following procedures are always used to counteract the possibility of a student acquiring positive pay offs while in the time-out area.

First: When the student is in the time-out area, he is directed to stand in an assigned area. Depending on the length of time he is there, the student is allowed to sit on the floor 5 minutes for every 15 minutes he is standing. The student is also allowed to lean against the wall if he likes. The intent here is not to make the time-out area comfortable with chairs, sofas, and relaxation time. Rather, the intent is to make the classroom look much more

comfortable and desirable than being in the time-out area. Also, absolutely no talking is allowed with other students. If the student wishes to talk he raise his hand and remains in his assigned area until a counselor talks with him.

Second: If the student proceeds to walk around and disturb other students or is highly distraught and is not responding to staff's directives, then a minimum of two support staff need to take the student by each arm and simply escort him to his assigned area. The student is then clearly told that if he cannot remain standing on his own and follow the expectations required in the time-out area, that he will be required to face the wall for a short period of time until he can control himself. When telling the student this, support staff must remain calm and convey the message that they are not here to hurt the student but only to require him to do what is asked of him. Alove all, if there is a need to proceed further and physically control tne student, support staff must not act out of anger or frustration. If support staff are in this type of mood, they must remove themselves for a time in dealing with the student and call in another substitute staff.

Third: If the student does not respond at this point, each staff then proceeds to take one arm of the student, turn him around and require him to face the wall. The student is also told that if he is still unable to remain facing the wall on his own without staff help, that he will be required to lay on the floor, face down. The student is continually advised that this will be done for his own protection as well as staff since he is becoming increasingly out of control. At this point, if these procedures have been carred out correctly, many of the distraught SED students will respond and begin to de-escalate their behaviors.

Fourth: If, however, the SED student still does not respond and is still escalating in his maladapted behaviors, staff must act immediately to control the student in order to protect the child as well as themselves. This is done by having each staff proceed to take one arm of the student, and require him to sit on the floor. From a sitting position, staff then roll the student over requiring him to lie stomach down on the floor. If the student is flaying his arms about, he is required to put his hands behind his back. Placing the student in this position is not for punishment purposes or to inflict pain. The sole purpose is to gain control of the student. . . . This position allows for maximum control of the student with minimal chance of the student hitting or kicking staff. For example, if the student was hitting the wall with his fist or head, staff can control the student easily from this position and virtually eliminate the continuation of these self-injurious acts. At no time are support staff to leave the student during this phase. Two staff at a minimum must be seated on the floor with the

student in order to control his legs, arms and head. If a female student is being dealt with, one adult female staff must be present. Support staff must continually reassure the student that they do not intend to hurt him in any way and that they will gladly release his arms and legs as soon as he can lay quietly on the floor without staff intervention. In nearly all cases the student will begin to regain his composure and begin to voluntarily respond to support staff's directives. As the student begins to regain his self-control, is lying quietly and seems to be responding, staff can release the student's arms and legs and allow him to remain in the prone position quietly for approximately 1 to 3 minutes. The student is then allowed to sit up for a period of 1 to 5 minutes. After the student has been able to sit quietly by himself for this period of time, require the student to stand. After the student has successfully been able to stand quietly by himself for a period of time, proceed to counsel (to be discussed later) and return the student to class.

Fifth: On those rare occasions when the student is still not responding to staff intervention, is remaining out of control for a prolonged or extended period of time despite physical control, or if the student is continually attempting to run away from the time-out area, then the treatment facility or the LCI staff must be notified and the student removed from campus for the remainder of the day. The student can be allowed to return the following day provided:

A. No suspensions are involved. Suspensions are automatic for physical assault on teachers/staff/students or serious destruction of school property. Duration of suspension is from 1 to 5 days maximum. Use of abusive language by an SED student against the staff or a teacher may also result in a suspension at the discretion of staff.

B. An LCI or mental health treatment specialist must return the following day and be prepared to work with school staff for the entire day if need be in order to help the student maintain acceptable behaviors either in class or in the time-out area.

It is critical that soft-rope tie downs or straight jackets not be employed when physically moving and controlling a student. The critical difference is that the use of objects for restraining is perceived as highly impersonal and probably "cruel" by the SED student even after he has calmed down. On the other hand, physical controlling of the student by support staff has the advantage of continually reassuring the student. Such a close and intense encounter usually forces the students to deal with the therapist as an "alternative" surrogate parent which, in many cases, has not taken place in the past with his natural parents or other treatment specialists.

Therapists and teachers must not forget to recognize that many of the SED students are at times unable to control their behaviors in a socially acceptable way because they have developed these maladapted behaviors over many years as well as successfully used them to manipulate or intimidate other teachers, staff, and parents. The SED student himself does not like what he is doing at such times. When an SED student is exhibiting these extreme maladaptive behaviors he is also generally fearful because of the uncertainty resulting from the emotional chaos he is experiencing and because his present state seems to be beyond his control. Although the student will not be able to say so at the time, he is internally crying out for someone to control him rather than ignore him and let him continue with his destructive or disruptive behaviors.

In summary, by simply and firmly demanding that the student follow your directions, by enforcing these directions and constantly reminding him of what it is that staff wants in the way of acceptable behaviors, only then will the SED student be able to begin to respond, de-esculate his maladapted behaviors and eventually work with the therapist in practicing acceptable behaviors to meet his needs. The most sobering reminder of how critical and effective this approach can be is evident when the SED student has calmed down and therapy is taking place. It can be observed in nearly all such instances that the SED student will honestly admit that he was displaying inappropriate behavior, will apologize for what took place, and then proceed to work productively to resolve the problem with the therapist.

Length of Time in the Time-Out Area: Support staff (therapist, counselor, etc.) must always decide when the student is ready to return to class, not the teacher. This is very important since the counselor and psychologist are in a much better position to constantly observe and monitor the student in order to look for external signs that he has regained control of his behaviors. Support staff need to look for signs where a student has physically relaxed, "cycled-out" and is willing to talk with the counselor. The student may even be smiling at this point. Note that the duration of time-out is highly variable depending on each student's circumstances. A review of the literature indicates that there is no data regarding an effective standard amount of time for a student to remain in a time-out area. However, there need be only one criteria for duration--that the least amount of time be used which is necessary for the SED student to regain his control and return to class. It becomes unethical and possibly illegal to use any more time than is necessary for time-out purposes which deprives a student from an educational class. As stated earlier, educational classes serve as a training ground in which to transfer and apply the skills hopefully learned in therapy with the

psychologist. The classroom is a training ground to develop coping skills needed in the larger society as well as laying the foundations for prevocational skills (i.e., appropriate work attitudes, socialization skills needed on the job). Therefore, when a student is ready to talk, and has demonstrated that he is in control of his behaviors again, then proceed with counseling procedures, incorporate the use of institutional case workers as needed, and once counseling is completed, immediately return the student to his class.

CHAPTER 7

GENERAL CAMPUS CONTROL PROCEDURES

The following list is by no means exhaustive. However, it does highlight the need to have all staff coordinate their efforts in order to avoid needless contradictions and inconsistencies when dealing with the student.

All staff are to be at class or on duty 30 minutes before school starts.

The teachers are to be at the door of their classes and the support staff in their assigned areas on campus:

1. when students arrive in the morning on the bus
2. during class changes
3. to help escort students to the bus at the end of the school day

When students arrive at school in the morning or at anytime during school, they are not allowed to stand outside the classroom. Students will be allowed out of class for the following reasons except for when being sent to the time-out area:

1. Restroom use: Restrooms are one of the major sources of problem areas on any campus or facility since it is out of view from staff a large portion of the time and serves as an easy redezvous place with other peers. Also, it is not uncommon to find teachers inadvertently letting out as many as 3 or 4 students from class over a 5 minute interval so the students can "use" the restroom. If 4 or 5 teachers proceed to do this, campus support staff will immediately find a large group of students "floating about" on campus and congregating in unassigned areas which may become very difficult to supervise. As a general rule, no student should be allowed to go to the restroom during lst period until class has been started well into it's first 20 minutes. This will give campus staff an opportunity to make sure all students are in class where they belong as well as clearing the campus in general. After the bus leaves and after 20 minutes have passed, only one student at a time is allowed out of the class to use the restroom. The teacher is not to let out any other student until the prior student has returned from the restroom. The maximum amount of time a teacher needs to allow a student out on a

restroom break is 5 minutes. Written permission or a "pass key" for the restroom must accompany the student on campus or the student will be immediately returned to class by support staff.

2. Recess/breaks: Class breaks are to be held in an assigned recreation area. All support staff and teachers are to be on campus and in assigned areas at the perimeters of the break area. No large group of students should ever be allowed on campus at one time unless there is adequate supervision. The fact that the students are aware of the presence of adult staff is enough to maintain good campus control in nearly all cases.

3. Early preventative measures: In terms of early prevention of students disruptions on campus, staff and teachers must begin "sizing up" students early in the day in order to observe small signs that the student is having difficulty. When seeing these signs, deal with the student immediately. Send the student to the time-out area so that he can talk with a counselor. It is vital that all staff become sensitive to behavior reaction of students. Staff must be careful not to ignore the student's symptoms and therefore let a problem escalate into an explosive situation later on campus.

4. Visability/accessability: Support staff are to be out of the office and continually walking about campus during class time in order to maintain a high degree of visability and accessability. Support staff should never hesitate to go into a class or ask the teacher if the classroom situation is running smoothly. If need be, support staff are to work with the teacher in the classroom when the situation merits it. Teaching staff should feel that all is needed is for them to look out their classroom door and see support staff within hailing distance if immediate assistance is called for. This procedure also gives a middle ground between the classroom and time-out area for solving student problems. Many times by intervening early enough, support staff or psychologist can resolve a problem in the classroom or at the classroom door before the student's behavior escalates beyond his control.

CHAPTER 8

GENERAL THERAPY PROCEDURES FOR SED STUDENTS

Although this section will not be elaborated upon in great length, the intent here is to give general guidance to therapists and counselors regarding procedures for being directive in their approach as well as effective in making positive behavioral changes in the shortest amount of time. Research in the use of a "tactics" committee which would include all support and counseling staff is presently being developed and field tested by this author. Such a committee which might be highly effective is one which would:

1. Minimize the use of psycho analytic (Freudian) techniques.

2. Maximize and incorporate the methodologies employed by such people as the following:

   a. Adler, Dreikurs
   b. Glasser (Reality-Therapy)
   c. A. Ellis (Rational Emotive Therapy)
   d. J. Haley, Milton Erickson, P. Watzlawick (Therapuetic Paradox: Pragmatics of Communication)
   e. Further expand on behavioral techniques of over-correction consisting of restitution and positive alternative practices, time-out procedures (as outlined in this article), town meeting and other positive reinforcement methods.

For the time being until research has been completed in this area, it is recommended that a psychologist should at least employ the following scheme when entering into a therapuetic relationship with an SED student.

STEP 1. Identify precisely what is the <u>presenting</u> problem. Do this behaviorally or functionally in terms of what, when, where and frequency. Use clarification and confrontation techniques to aid in this process which will also possibly help in understanding the students underlying problem or "hidden agenda".

STEP 2. Utilize a minimal degree of interpretation and analysis in helping the student "understand" the possible dynamics in regards to why he is behaving the way he is.

STEP 3. Develop a corrective plan of action with the student which also entails consequences much in the same way that is used by the above mentioned psychologist.

STEP 4. Provide an opportunity for the student to rehearse his plan of action through role playing and staging techniques.

STEP 5. Assign homework. This entails the directive from the therapist to the student to use the plan in class and to report back at another time to view his progress.

As can be seen by the above outline, the attempt here is to use a more directive approach rather than a non-directive possive style in dealing with the SED student. In order to get the student to actively do something, the therapist must also be actively and directly involved in providing help rather than passively allowing the student to attempt to "discover" the answer to his problems.

CHAPTER 9

STAFFING PATTERNS FOR THE SERIOUSLY EMOTIONALLY DISTURBED

As mentioned earlier, major problems and abuses by institutional and educational staff arises in the management of SED students when there are inadequate staffing ratios. There are two current sources of data that give a good indication of the correct staff-to-student ratio, along with other sources for estimating cost factors.

1. Prior Research Studies: This author has already completed prior research and published the results pertaining to a centralized educational facility for severely emotionally disturbed students (DeYoung 1979). In this study, under the section headed Administrative Observations and Future Needs, there was listed one specific recommendation for staffing ratios which was based on actual line experience. At least one non-administrative support staff (i.e., psychologist/counselor) is needed for every 30 students. However, further evaluation of staffing ratios based on current school staffing experience indicate:

   A. A full-time counselor aide is needed to supervise the time-out area at all times.

   B. There must be at least one full-time counselor for every 30 SED students.

   C. For the classroom, maximum class sizes are legally limited to 12 students. However, due to the severe nature of these students and the demands in managing them effectively, class sizes of 8 students per teacher is truly the only realistic staffing ratio in which an effective impact can be made.

   D. In addition, one full-time aide is a must for each special education teacher.

2. Comparative Staffing Analysis with Neighboring Districts: A second school district in San Diego County other than Ramona Unified School District has attempted to establish a centralized school facility for SED students. This is San Diego Unified School District. In a comparative analysis of their staffing patterns (Appendix E), it was shown that San Diego Unified over all had more teachers, smaller class size ratios and a larger number of para professionals and support staff in comparison to Ramona Unified. Yet, Ramona Unified had a significantly large number of residential SED students to serve.

In addition, San Diego Unified had the tremendous advantage of a large permanent school facility to serve their SED students. It is estimated that the district by enrolling SED students at this centralized school facility has reduced their district costs by at least $100,000 per year.

The actual ratios of teacher to SED students in the San Diego Unified district, at their centralized facility, is presently one teacher to 6.8 students. In the Ramona Unified district this ratio is one teacher to 10.6 students. Data from both districts indicates a definite trend toward class ratios for SED students of one teacher per 8 students, with at least one full time aide per teacher.

3. Comparative Educational Budgeting Costs: Through recent contacts with Los Angeles Unified School District by the Director of Special Education at Ramona Unified School District, it has been noted that staff costs and capitol outlay for running and maintaining educational facilities at a licensed children's institution are very comparable. Therefore, these two independent districts are fast arriving at the same fiscal conclusions that expenditures in the educational treatment and management of SED students is requiring a tremendous amount of capitol--much more so than for any type of other student who can be maintained on a regular campus. Presently, to establish classes at an LCI, provide transportation, certificated and classified salaries, supplies, indirect costs and capitol costs, is costing approximately $8,700 per student per year (Appendix F). In addition, if you add to this the cost of support staff, i.e., behavior specialists, and psychologists, (Appendix F), the capitol outlay per SED student easily climbs to $12,000 per year.

4. Comparative Costs for Non-Public School Facilities: Although the current 1979-80 fiscal school year figures which are between $8,700 and $12,000 per student per year seems high, these are meaningless figures without the vantage point of a comparative cost perspective for other types of residential treatment facilities. An interview was conducted with a director of a local LCI in San Diego County in order to obtain some type of baseline data for comparative costs of non-public school facilities for SED students. Approximate costs which are presently based on two year old data for private treatment facilities in San Diego County area are as follows:

A. Community Mental Health Adolescence and In-patient Services:

1. approximately $6,000 per child per month
2. approximately $60,000 to $72,000 per year

B. Residential Private Treatment Facilities that are joint commissioned approved and hospital accredited such as

Boys and Girls Aide Society and San Diego Center for Children:

1. approximately $2,000 to $2,500 per child per month
2. approximately $20,000 to $24,000 per year

C. Residential Private Treatment Facilities that are not joint commissioned, approved and hospital accreditated:

1. approximately $850 to $1,500 per child per month
2. approximately $10,000 to $12,000 per year

D. Private Psychiatric Hospital placement such as Mesa Vista Hospital and Southwood Mental Hospital:

1. approximately $375 per child per day
2. approximately $11,250 per child per month
3. approximately $112,000 per year

E. County Juvenile Hall Facilities such as Rancho Del Campo:

1. approximately $2,500 to $3,000 per child per month
2. approximately $25,000 to $30,000 per year

Therefore, the cost per year per child for treating an emotionally disturbed or deliquent student in a private or county residential setting is summarized as follows:

1. Range: approximately $10,000 to $112,000
2. Median cost: approximately $25,000
3. Mean Cost: approximately $40,000

In summary, present school costs to educate SED students at a centralized educational facility when compared to two year old data on costs for other types of treatment facilities, not only seem minimal but also could easily be argued as entirely inadequate.

CHAPTER 10

SUMMARY

A systematic procedure has been outlined which will give guidance to therapists and teachers in managing both male and female SED students from ages 9 to 18 years who reside at a licensed children's institution or are attending a centralized public school facility for SED students. What has been barely touched on in this article and is an area for further research, is the development of a systematic counseling-therapuetic approach to be used by psychologists and counselors when the SED student is actively and cooperatively engaged in a dialogue with the therapist.

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MAY 1977
RECEIVED
Employee Relations
Corona-Norco Unified
School District

May 24, 1977

Dr. Augustine Ramirez
District Superintendent
Corona-Norco Unified School District
300 Buena Vista Avenue
Corona, California 91720

Attention: Mr. John R. Harper, Administrative
Assistant-to-the Superintendent

Re: Corporal Punishment

Dear Dr. Ramirez:

By letter dated April 14, 1977, you have asked whether or not there is a legal definition of corporal punishment, or whether there is case law on this subject. The answer to both your queries is in the affirmative.

As you have correctly indicated in your letter, corporal punishment may be administered in California only with the written approval of the parent or guardian [Education Code §49001(a)]. The legal definition of corporal punishment, in its enlarged meaning, such punishment of, or inflicted upon, the body, including imprisonment. Under some statutory interpretations it has been held to mean in its primary and restricted meaning, punishment upon the body, as infliction of pain such as whipping, rather than imprisonment [22 Colo. 251, 255]. Webster's New International Dictionary, 2d Edition defines punishment: "Punishment applied to the body of the offender, including imprisonment."

There are enumerable recent cases involving the application of corporal punishment. The most recent decisions being that of the United States Supreme Court in Ingrahm v. Wright, dated April 19, 1977, CCH U.S. Supreme Court Bulletin, SCB 1735. As soon as this decision is reported we will advise you of the citation. The case exhaustively describes the issue of corporal punishment and determined the following issues:

Dr. Augustine Ramirez
May 24, 1977
Page 2

1. Whether paudling of students as a means of corporal punishment in the public schools, as a means of maintaining school discipline, constitutes cruel and unusual punishment in violation of the 8th Amendment of the U.S. Constitution;

2. To what extent that paddling is constitutionally permissible. Whether the "Due Process Law" of the 14th Amendment requires prior notice and an opportunity to be heard.

The Supreme Court held that corporal punishment by paddling did not violate the 8th Amendment of the Constitution and was not cruel or unusual punishment, nor did it require prior notice and an opportunity to be heard under the Due Process Law of the 14th Amendment. The Court did hold that the punishment must be moderate and that there existed the possibility of criminal and civil liability for the use of corporal punishment. The statute in question, Florida Stat. 23227--Corporal Punishment, was defined as:

> "The moderate use of physical force or physical contact by a teacher or principal as may be necessary to maintain discipline or to enforce school rules."

The general discussion throughout a great majority of the cases, in applying the rules relating to corporal punishment, have generally considered corporal punishment to be the application of a paddle or some similar instrument to the posterior or spanking on the buttocks.

The cases dealing with the other forms of physically touching the students, such as slapping, slugging, kicking, twisting of the arm, stomping on the student, or like forms of behavior have been held to be batteries and subject to criminal and civil penalties. In California, People v. Curtis 116 CA 771, found a teacher guilty of violation of Penal Code Section 273(a) for spanking a child. Subsequent to the Curtis case, Penal Code Section 273(a) has now been made a felony and provides that any person who, under circumstances or conditions likely to produce great bodily harm or death, wilfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of such child to be injured, or willfully causes or permits such child to be placed in such situation that its person or health is endangered, is punishable by imprisonment in the county jail not exceeding 1 year, or in the state prison for not less than 1 year no more than 10 years.

Also, Education Code Section 44807 limits the amount of force that can be used by a teacher, to that degree of physical control of a pupil that a parent would be legally privileged to exercise, but in no event shall it exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning.

Under the provisions of Education Code Section 49000 the governing board of a distirct may adopt rules and regulations authorizing certificated personnel to administer reasonable corporal or other punishment to pupils when such action is deemed an appropriate corrective measure. Generally, the rules and regulations adopted by a majority of the districts provide that corporal punishment shall be defined as the application of a hand or paddle to the seat or posterior of the pupil to provide discipline or to enforce school rules. The manner in which it is applied is usually defined as reasonable in amount and administered without anger and only after it has been ascertained that there are no health conditions that exist which could cause injury to the pupil, and that it be witnessed by one or more members of the faculty, and that the parents be notified of the corporal punishment after the fact. All of this is viewed in light of the requirement of the Code above referenced that the parents give written consent to the administering of corporal punishment.

Your letter indicates that the Director of Specialized Instruction, who is involved in behavior modification of special education pupils, requested such a definition. We call your attention to an article in Standford Law Reviews Vol. 29, No. 1, pp. 93-126 entitled: "Coercive Behavior Control in Schools: Reconciling," Individually Appropriate Education With Damaging Charges in Educational Status." This Law Review article discusses in length the morality and legality of use of behavior modification therapy and psychostimulant drug treatment and how it has intruded upon the psychological and physical privacy of children so forcefully that it may be regarded as "coercive". This is in line with the current trend toward distrust of and abuse of psychological stimulant drugs for both public school and criminal institutions in the future.

In summary, reading of Ingrahm v. Wright, supra and the Standford Law Review, ibid, will give an overview to the current legal trends in both the area of corporal punishment and coercive behavior control in the educational setting.

Very truly yours,

Ray T. Sullivan, Jr.
County Counsel

By: W. W Miller
Deputy County Counsel

WWM:vc

MONITORING FORM

Pupil's Name _____ Subject _____ Grade _____

Teacher's Name _____ From _____ To _____ (period of evaluation)

Below are a series of statements about this pupil's functioning and behavior. Read each statement and rate it according to the 5-point scale to the right based on your impressions of the student during the period mentioned above.

1.	Pupil comes prepared to work.	1 never	2 rarely	3 sometimes	4 often	5 always
2.	Pupil pays attention.	1 never	2 rarely	3 sometimes	4 often	5 always
3.	Pupil follows directions.	1 never	2 rarely	3 sometimes	4 often	5 always
4.	Pupil works independently.	1 never	2 rarely	3 sometimes	4 often	5 always
5.	Pupil completes assignments.	1 never	2 rarely	3 sometimes	4 often	5 always
6.	Pupil participates in class activities.	1 never	2 rarely	3 sometimes	4 often	5 always
7.	Pupil respects rules and routine.	1 never	2 rarely	3 sometimes	4 often	5 always

His/her progress (is) (is not) satisfactory _____.

If she/he will continue present performance, she/he (will) (will not) receive a passing grade. _____

_____ most deficient educational skill is _____

_____

Comments: _____

_____

_____

_____

Teacher - Don Silver

NAME _____

APPENDIX B

SUBJECT	CONDUCT S= Satisfactory U= Unsatisfactory Scale: 1 - 5	ASSIGNMENT FOR TODAY	HOMEWORK
MATH or P.E. 7:45 - 8:30 Rm. #18			
LANGUAGE or PRE VOCATIONAL SKILLS 8:35 - 9:2 Rm #18			
READING LAB 9:25 - 10:10 Rm. #6			
ART 10:15 - 11:00 Rm. #18			
MATH or P.E. 11:00 - 11:45 Rm. #18			
L U N C H 11:50 - 12:20			
SOCIAL STUDIES & SPELLING 12:25 - 1:10 Rm. #18			

PARENT'S SIGNATURE _____

CITY COUNCIL

Once a week a City Council meeting takes place. At this meeting a council, elected by the boys, sits, listens and votes on status changes. Each boy is discussed and accepts feedback from his peers.

The following outlines the status process from the lowest to the highest:

A. Visitor:

I. Performance

1. Beginning step for a new student

2. Not adjusted in regards to:

a. following school schedules
b. respecting others' rights
c. respecting property
d. considering safety of others or himself
e. accepting responsibility for his actions
f. supporting staff decisions

II. Pay Offs

1. Can go on field trips but is supervised.

2. Cannot attend school athletic teams.

3. Cannot vote or be on student city council.

4. Cannot work for pay jobs.

B. City Member:

I. Performance

1. Adjusted to the program:

a. Following campus schedules
b. Respects property and others
c. Considers safety of his self and others

2. Deals with his personal problems.

3. Occasionally accepts responsibility for his actions.

4. Supports staff decisions. Has difficulty in many areas of his life but has enough awareness to admit his problems and make an effort to work on them.

II. Pay Offs

Eligible for:

a. school trips
b. school athletics
c. position on city council jury
d. voting privileges
e. pay job

C. Councilman

I. Performance

1. Consistent in all areas of his life. Leaders have occasional "bad days". On the whole they have consistently good behavior.

2. Is considerate of others.

3. Frequently shows respect for staff and rules.

4. Accepts discipline.

II. Pay Offs

Keeps privileges of a City Member in addition to:

priority over lower status students for privileges
can call friends
can go for unsupervised hikes

D. Mayor:

I. Performance

1. Consistently:

a positive example for peers
a staff helper

2. Honest, in most relationships.

3. Solves most of his personal problems. Consistently working on those problems that still exist.

4. Students judgment can be trusted when unsupervised.

5. Completes chores without supervision.

6. Frequently volunteers to give help to staff and peers.

7. Frequently exhibits respect for all authority.

8. Able to tolerate frustration due to stress and disappointment.

9. Passing all classes in both academics and behavior.

II. Pay Offs

Is a positive example for other boys.. Keeps all privileges of Mayor plus

can have friends visit on campus

E. Senator

I. Performance

1. Not in "time out" for last 6 weeks.

2. Has total vote of <u>all</u> staff.

II. Pay Offs

1. Can receive a weekly allowance.

2. Can receive long distance calls.

APPENDIX D

WILSON RILES
Superintendent of Public Instruction
and Director of Education

STATE OF CALIFORNIA

DEPARTMENT OF EDUCATION

STATE EDUCATION BUILDING, 721 CAPITOL MALL, SACRAMENTO 95814

October 30, 1979

TO: County/District Superintendents of Schools
Directors of Special Education
Interested Individuals and Organizations

FROM: Gordon Duck
Assistant Superintendent and
Director, Office of Special Education

SUBJECT: Guidelines in the Use of Aversive Procedures in Special Education

As a result of language in AB 1250 the State Department of Education was required to develop guidelines on the use of aversive interventions, if any, with handicapped students in the public schools. After more than a year of joint developmental work by the Department of Developmental Services and the Department of Education, the State Board of Education was asked to review and act upon proposed guidelines for the use of aversives.

The Board acted not to adopt guidelines for the following reasons:

1. Present State Board of Education policy requires local boards of education to develop local policies and procedures on student discipline;

2. Focusing on one component of behavioral management, i.e., use of aversives, may be misleading and imply endorsement rather than a "limiting" control;

3. Such perceived endorsement of the use of aversives may have undesirable implications for use of such procedures in the regular classroom; and

4. Currently, professionals cannot agree on the use of strict behavioral management techniques (from operant conditioning) including the use of aversives in the public school setting.

For further information contact Joyce O. Eckrem, Acting Administrator, Policies and Program Planning Unit, Office of Special Education, California State Department of Education at the above address or telephone (916) 322-5016.

The Assembly Health Committee is tentatively scheduling a December public hearing on the use of aversives. Joan Amundson at (916) 445-8878 may be contacted regarding the time, place, and agenda for such a hearing.

GD:jer

COMPARATIVE STATUS
RAMONA UNIFIED SCHOOL DISTRICT VERSUS SAN DIEGO UNIFIED SCHOOL DISTRICT

	SAN DIEGO UNIFIED	RAMONA UNIFIED	DIFFERENCE
Enrollment	75	90	15
Number of Teachers	11	8.5 *	3.5
Number of para-professionals (including 2 para-professionals in counseling office at San Diego Unified)	13	7.5	5.5
Number of Psychologists	1	1	0
Number of Counselors	2	1 (Supplied between Ramona High School and Ramona Intermediate)	1
Number of Administrators	1	.75	.25

* Asking for another .50 teacher.

In summary, San Diego Unified School District program for handicapped students also has an excellent facility to serve all Emotionally Disturbed students. The district, by enrolling students at the Institution, has reduced their district costs by at least $100,000 per year.

APPENDIX E

COMPARATIVE STATUS
RAMONA UNIFIED SCHOOL DISTRICT VERSUS SAN DIEGO UNIFIED SCHOOL DISTRICT

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In summary, San Diego Unified School District program for handicapped students also has an excellent facility to serve all Emotionally Disturbed students. The district, by enrolling students at the Institution, has reduced their district costs by at least $100,000 per year.

SAMPLE BUDGET

February 1980

	Expense	Total
Certificated Salaries		
Teacher	18003	21423
Substitute	420	
Employee Benefits	3000	
Classified Salaries		
Aides	5984	9261
Substitute Aides	277	
Employee Benefits	3000	
Supplies & Equipment		
Textbooks	75	2829
Other Books	75	
Instructional Supplies	725	
Instructional Media	80	
Office Supplies	40	
Equip. Replacement & Maintenance	50	
Equip. New	1000	
Capital	784	
Misc.		
Rent/Lease: Bldg. & Gr.	3025	4635
Maint: Bldg. & Gr.	1210	
Field Trips	100	
Security	100	
Custodial		
Contracts: General	200	

	Expenses	Total
Transportation		
$8.00 per day per pupil X 8 per class = $64. per day X 180 days	11520	11520
Indirect Costs		
Dir. Sup. Inst.	7743	15045
Dir. Sup. Pupil	3210	
Dir. Sup. General - C	939	
Dir. Sup. General - E	3013	
Capitol Costs		
All Other Equip	3000	3784
Indirect Costs - Cap.	784	
		68297

$68,297 ÷ 8 students = $8,662 per student per year

+ Behavior Specialists	$10,000
+ Behavior Management	9,000
+ Psychological Services	10,000 (?)

$97,297 ÷ 8 students = $12,162 per student per year

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